

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NEXRF Corp., a Nevada Corporation

Case No.: 2:20-cv-01875-RSM

Plaintiff,

v.

**STIPULATION AND ORDER TO STAY
PENDING RELATED APPEAL**

DoubleDown Interactive Co., Ltd., and
DoubleDown Interactive, LLC,

Defendants.

WHEREAS, Plaintiff NEXRF filed a Complaint for Patent Infringement (“Complaint”) on December 31, 2020 (ECF No. 1) alleging infringement of U.S. Patent Nos. 8,747,229, (“the ’229 Patent”), 8,506,406, (“the ’406 Patent”), and U.S. Patent No. 9,646,454 (“the ’454 Patent”);

WHEREAS, Defendants have filed a Motion to Dismiss (ECF No. 19) alleging the patents-in-suit are ineligible under 35 U.S.C. § 101, and briefing has been completed (ECF Nos. 31, 32, 34);

WHEREAS, the parties have agreed to stay FRCP 26 disclosures and the scheduling conference until resolution of the Motion to Dismiss (ECF No. 30);

STIPULATION AND ORDER TO
STAY PENDING APPEAL IN
RELATED ACTION

1 WHEREAS, on July 7, 2021, following briefing, the Honorable Miranda M. Du of
2 the U.S. District Court for the District of Nevada in *NEXRF Corp. v. Playtika Ltd.,*
3 *et al.*, Case No. 3:20-cv-00603-MMD-CLB (“Playtika Action”) issued an order finding
4 all claims of the ’229 patent, the ’406 patent, and the ’454 patent invalid under 35
5 U.S.C. § 101 as being directed toward patent ineligible subject matter (*see* ECF No.
6 34, Notice of Supplemental Authority);

7 WHEREAS, on July 12, 2021, NEXRF filed a Notice of Appeal with the U.S.
8 Court of Appeals for the Federal Circuit in the Playtika Action (ECF No. 60 in the
9 Playtika Action);

10 WHEREAS, in the interests of judicial economy and efficiency, the parties to the
11 present action seek to stay this case and this Court’s resolution of the Motion to
12 Dismiss until final resolution of the appeal in the Playtika Action;

13 NOW, THEREFORE, NEXRF and Defendants, by and through their respective
14 counsel of record, hereby stipulate and respectfully request that the Court order the
15 following:

- 16 1. This case shall be stayed for all purposes until final resolution of the appeal in
17 the Playtika Action, including any rehearings, certiorari, or further appeals.
 - 18 2. The parties shall provide a joint status update within thirty days of final
19 resolution of the Playtika appeal, including the parties’ positions on how the
20 case should proceed.
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IT IS SO STIPULATED.

DATED this 31st day of August, 2021.

FOLIO LAW GROUP, PLLC

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Ltd., DoubleDown Interactive Co., Ltd., and
DoubleDown Interactive, LLC*

ORDER

Pursuant to stipulation, it is so ORDERED. Furthermore, the parties shall file a joint status report every 90 days while the Playtika appeal is pending.

DATED this 3rd Day of September, 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

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